# J. WILL ROBINSON FEDERAL BUILDING (H.R. 5419)

# ALEXANDER HAMILTON UNITED STATES CUSTOM HOUSE (H.R. 5595)

# ACQUISITION OF CERTAIN PROPERTY IN THE DISTRICT OF COLUMBIA (6TH AND EAST CAPITOL STREET SE.) FOR THE LIBRARY OF CONGRESS (H.R. 5708)

# PROPOSED RELOCATION OF FAA'S REGIONAL OFFICE AT JOHN F. KENNEDY INTERNATIONAL AIRPORT IN NEW YORK

(101-63)

# HEARING

BEFORE THE

## SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

OF THE

## COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

## HOUSE OF REPRESENTATIVES

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

SEPTEMBER 26, 1990

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Committee on Public Works and Transportation
One Hundred First Congress
U.S. House of Representatives
Room 2165, Rayburn House Office Building
Washington, DC 20515
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# HEARING MEMORANDUM

TO: Members, Subcommittee on Public Buildings and Grounds

FROM: Subcommittee Staff

DATE: September 24, 1990

RE: September 26, 1990 hearing and markup

On September 26, 1990 at 9:30, the Subcommittee will meet in 2167 Rayburn to conduct a hearing and markup of H.R. 5419, to name the J. Will Robinson Federal Building in Utah; H.R. 5595, to name the Alexander Hamilton United States Custom House in New York; H.R. 5708, to authorize the Architect of the Capitol to purchase a building for the Library of Congress at 6th and East Capitol Streets; and pending GSA prospectuses.

## H.R. 5419, J. WILL ROBINSON FEDERAL BUILDING

H.R. 5419 was introduced on July 31, 1990 by Congressman Nielson. This bill names the Federal building in Provo, Utah after J. Will Robinson, a Member of Congress from 1933 to 1947.

## H.R. 5595, ALEXANDER HAMILTON UNITED STATES CUSTOM HOUSE

H.R. 5595 was introduced on September 12, 1990 by Congressman Green. This bill names the U.S. Custom House located at 1 Bolling Green in the Battery Park section of Manhattan, New York after Alexander Hamilton, the first Secretary of the Treasury who lived and worked in the neighborhood of the current Custom House.

## H.R. 5708, LIBRARY OF CONGRESS HUMAN RESOURCES CENTER

H.R. 5708, authorizes the Architect of the Capitol to purchase a former school located at 6th and East Capitol Streets for the Library of Congress at an estimated purchase price of $4.2 million for approximately 41,000 square feet of space. At a Subcommittee hearing on February 28, 1990 the Architect testified before the Subcommittee on this project. The Library is planning to use the building as a training center for legislative branch employees; a day care center; a career learning center for Library employees; and a physical fitness facility.

GSA LEASE PROSPECTUSES

Federal Aviation Administration, Eastern Region, New York. Proposes leasing 173,150 square feet of office, storage, special space and 815 outside parking spaces, including 65 secured parking spaces for Government vehicles, for the eastern regional office of the FAA. Currently, the main office of the regional office is housed in substandard space in a building at JFK Airport in Queens, New York. In addition, expansion space for 73 employees is required. The proposed delineated area includes part of Queens around JFK Airport and part of Nassau County, Long Island as the FAA desires a location near the New York TRACON (Terminal Radar Approach Control) on Long Island. GSA is requesting leasing authority for 20 years at an estimated maximum annual cost of $6,926,000 ($36-40/sf).

Members who may present testimony on whether the delineated area should remain only Queens or both Queens and Long Island include Congressmen Ackerman, McGrath, Mrazek and Lent. FAA officials will also be present.

Environmental Protection Agency, Chapel Hill, North Carolina. Proposes to lease a laboratory/research facility for EPA on the campus of the University of North Carolina, Chapel Hill. The facility will provide 66,000 occupiable square feet of space and will be constructed to meet the specialized requirements of EPA. Construction will be funded by the State of North Carolina through the issuance of State backed bonds, with EPA leasing the facility. Various EPA components will be consolidated into the facility and will provide 33,000 square feet of expansion space. The 30-year present value of leasing is $51,469,000 vs. $41,017,000 for construction. GSA is requesting leasing authority for 20 years at an estimated maximum annual cost of $5,280,000 ($65-80/sf).

Department of Justice (U.S. Attorney), Cleveland, Ohio. Proposes leasing 70,000 occupiable square feet of space for the expansion and collocation of the Department of Justice-U.S. Attorney and the Strike Force in the Cleveland Central Business District. The 30-year present value cost of leasing is $31,360,000 vs. $26,869,000 for construction. GSA is requesting leasing authority for 10 years at an estimated maximum annual cost of $2,800,000 ($30-40/sf).

Bureau of Mines, Department of Interior, Washington, D.C. Metropolitan Area. Proposes a replacement lease for 102,932 occupiable square feet of space to relocate the Bureau of Mines from space leased at Columbia Plaza, 2401 E Street. That space must be vacated so that a critically needed HVAC project can begin. After renovation, the space will be backfilled by the State Department. The 30-yer present value cost of leasing is $45,976,000 vs. $38,219,000 for construction. GSA is requesting leasing authority for 20 years at an estimated maximum annual cost of $4,309,763 ($22-40/sf).

Office of Personnel Management, Washington, D.C. Metropolitan Area. Proposes a replacement lease for approximately 69,790 occupiable square feet currently being provided for the Office of Personnel Management in Washington. The space will be occupied by OPM's Washington Area Service Center and Office of Employee and Executive Development in the Career Entry and Employee Development Group. The 30-year present value cost of leasing is $29,925,000 vs. $26,832,000 for construction. GSA is requesting leasing authority for 10 years at an estimated maximum annual cost of $2,791,600 ($26-40/sf).

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101ST CONGRESS
2D SESSION

# H. R. 5419

To designate the Federal Building at 88 West 100 North in Provo, Utah, as the "J. Will Robinson Federal Building".

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IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1990

Mr. NIELSON of Utah (for himself, Mr. HANSEN, Mr. OWENS of Utah, Mr. ANDERSON, Mr. HAMMERSCHMIDT, Mr. BOSCO, and Mr. PETRI) introduced the following bill; which was referred to the Committee on Public Works and Transportation

---

# A BILL

To designate the Federal Building at 88 West 100 North in Provo, Utah, as the "J. Will Robinson Federal Building".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Federal building located at 88 West 100 North in Provo, Utah, shall hereafter be known and designated as the "J. Will Robinson Federal Building". Any reference in a law, regulation, map, document, record, or other paper of the United States to that building shall be deemed to be a reference to the J. Will Robinson Federal Building.

101ST CONGRESS
2D SESSION

# H. R. 5595

To redesignate the Federal building located at 1 Bowling Green in New York, New York, as the "Alexander Hamilton United States Custom House".

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 1990

Mr. GREEN introduced the following bill; which was referred to the Committee on Public Works and Transportation

---

# A BILL

To redesignate the Federal building located at 1 Bowling Green in New York, New York, as the "Alexander Hamilton United States Custom House".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. REDESIGNATION.**

The Federal building located at 1 Bowling Green in New York, New York, and known as the United States Custom House, shall be known and designated as the "Alexander Hamilton United States Custom House".

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal

building referred to in section 1 shall be deemed to be a reference to the "Alexander Hamilton United States Custom House".

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101ST CONGRESS
2D SESSION

# H. R. 5708

To authorize acquisition of certain real property for the Library of Congress, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1990

Mr. ANDERSON (for himself, Mr. BOSCO, and Mr. HAMMERSCHMIDT) introduced the following bill; which was referred to the Committee on Public Works and Transportation

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# A BILL

To authorize acquisition of certain real property for the Library of Congress, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ACQUISITION OF SPECIAL FACILITIES CENTER.**

The Architect of the Capitol may acquire on behalf of the United States Government by purchase, condemnation, transfer, or otherwise (A) all publicly or privately owned real property in lot 51 in square 869 in the District of Columbia, as that lot appears on the records in the office of the Surveyor of the District of Columbia on August 1, 1990, extending to the outer face of the curbs of the square in which it is

located and including all alleys or parts of alleys and streets within the lot lines and curb lines surrounding such real property, and (B) improvements to such real property.

SEC. 2. REPAIR, ALTERATION, AND EXEMPTIONS.

(a) REPAIRS AND ALTERATIONS.—The first section of the Act of June 29, 1922 (42 Stat. 715; 2 U.S.C. 141), is amended by striking "the Library Building and on the grounds," and inserting "the Library of Congress buildings and grounds, (as defined in section 11 of the Act of August 4, 1950 (2 U.S.C. 167(j))),".

(b) REPAIR AND ALTERATION STANDARDS.—The property and improvements acquired under section 1 shall be repaired and altered, to the maximum extent feasible as determined by the Architect of the Capitol, in compliance with one of the nationally recognized model building codes and with other applicable nationally recognized codes (including electrical codes, fire and life safety codes, plumbing codes, as determined appropriate by the Architect), using the latest edition of the nationally recognized codes referred to in this paragraph.

(c) LIBRARY BUILDINGS AND GROUNDS.—Section 11 of the Act entitled "An Act relating to the policing of the buildings of the Library of Congress", approved August 4, 1950 (64 Stat. 412; 2 U.S.C. 167j), is amended by adding at the end the following new subsection:

"(c) For the purposes of this Act, the term 'Library of Congress buildings and grounds' shall include (1) all real property in lot 51 in square 869 in the District of Columbia, as that lot appears on the records in the office of the Surveyor of the District of Columbia on August 1, 1990, extending to the outer face of the curbs of the square in which it is located and including all alleys or parts of alleys and streets within the lot lines and curb lines surrounding such real property, and (2) improvements to such real property.".

(d) EFFECTIVE DATE.—Subsections (a) and (b) and the amendment made by subsection (c) shall take effect on the date the Architect of the Capitol acquires the property and improvements described in section 1.

**SEC. 3. PENALTY.**

Section 8 of the Act entitled "An Act relating to the policing of the buildings of the Library of Congress", approved August 4, 1950 (64 Stat. 412; 2 U.S.C. 167g), is amended—

(1) by striking "shall be fined not more than $100 or imprisoned not more than sixty days, or both," and inserting "commits a Class B misdemeanor,"; and

(2) by striking "the period of imprisonment for the offense may be not more than five years." and inserting "the person commits a Class D felony.".

**SEC. 4. AUTHORIZATION OF APPROPRIATION.**

There is authorized to be appropriated to the Architect of the Capitol $5,000,000 for carrying out the purposes of this Act, to remain available until expended.

# J. WILL ROBINSON FEDERAL BUILDING (H.R. 5419)

# ALEXANDER HAMILTON U.S. CUSTOM HOUSE (H.R. 5595)

# ACQUISITION OF CERTAIN PROPERTY IN THE DISTRICT OF COLUMBIA (6TH AND EAST CAPITOL STREET, SE.) FOR THE LIBRARY OF CONGRESS (H.R. 5708)

# PROPOSED RELOCATION OF THE FAA's REGIONAL OFFICE AT JOHN F. KENNEDY INTERNATIONAL AIRPORT IN NEW YORK

WEDNESDAY, SEPTEMBER 26, 1990

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION,
*Washington, DC.*

The subcommittee met, pursuant to notice, at 9:49 a.m. in room 2167, Rayburn House Office Building, Hon. Douglas H. Bosco (chairman of the subcommittee) presiding.

Mr. Bosco. Good morning. The Subcommittee on Public Buildings and Grounds will come to order. We will hear testimony on a bill to name a Federal building after J. Will Robinson and to name another Federal building after Alexander Hamilton.

We shall discuss a bill that I have introduced that would permit the library to establish a Library of Congress human resources center. The center would include a training center for legislative branch employees; a day care center; a career learning center for library employees; and a physical fitness facility.

Last, we will consider several lease prospectuses submitted to us by GSA. We will hear testimony from numerous witnesses on the first prospectus: the eastern regional office of the FAA in New York.

I look forward to hearing the testimony of our witnesses today.

When the hearing is completed we will markup the items on the subcommittee's agenda.

Congressman Petri do you have an opening statement?

Mr. PETRI. Thank you, Mr. Chairman. This morning the Subcommittee will complete action on legislation naming some Federal buildings around the country. One of these would honor a former Member of Congress from Utah, F. Will Robinson, who served in the House during the Depression and World War II. H.R. 5595, stretching further back in history, designates the Custom House in lower Manhattan as the "Alexander Hamilton United States Customs House". Alexander Hamilton shares a great history with New York City—and particularly with the Bowling Green area where this Custom House stands—and so, it seems fitting that this particular building be named in his honor.

The other legislation to be considered this morning would authorize the Architect of the Capitol to purchase buildings for the Library of Congress, which would be used for a day care center, training facility and temporary residences for visiting scholars. The fiscal year 1991 legislative appropriations bill, as approved by the Appropriations Committee, contains the authorization and $5 million appropriation for the purchase. As the authorizing committee, it is appropriate that we consider the proposal and any authorizing legislation.

To conclude our hearing, we will take final action on remaining lease prospectuses submitted by GSA. I know that many Members of the New York delegation are here to present their views on where GSA and the FAA should solicit for bids for the FAA's eastern regional office. This is an issue important to FAA, Queens, and Long Island, and I hope we can give a fair hearing to all parties this morning.

Thank you, Mr. Chairman, and I yield back to you.

Mr. BOSCO. Thank you. I want to welcome everyone here. We will try to get this committee meeting over and done with as soon as possible. In that spirit, I know that most of the members have eloquent statements on the subject of the country's public buildings and grounds. Perhaps we could submit those for the record. But I would like to call on Ms. Molinari, who has other engagements this morning and would like an opportunity to speak.

Ms. MOLINARI. Thank you, Mr. Chairman. I certainly appreciate your indulgence. I will be very brief.

I want to thank the Chairman for bringing this to this committee's attention. Obviously, the issues before us are very important. Probably most important to the future of New York City, however, is the issue that will be on number 4 under pending GSA prospectuses. That has to do with the possible relocation of FAA Headquarters from Queens to Long Island. I would like to submit a statement for the record as a Representative of New York City and a sympathizer of the Borough of Queens, that endures the majority of the traffic and other environmental illnesses of having three major airports within their close proximity, to urge this committee

to maintain FAA Headquarters in Queens. I will submit my statement for the record, and thank you for your attention.

[Ms. Molinari's prepared statement folllows:]

STATEMENT OF REPRESENTATIVE SUSAN MOLINARI
BEFORE THE SUBCOMMITTEE ON PUBLIC BUILDING & GROUNDS
SEPTEMBER 26, 1990

I would like to thank my fellow Public Works Committee colleagues, Chairman Bosco and the ranking member Mr. Petri for giving me the opportunity to testify before this subcommittee on the relocation of the FAA Eastern Regional Headquarters.

As a Member of Congress representing New York City, I am very concerned about the economic affects that moving the Eastern Regional headquarters would have on the local economy. Currently, 40% of FAA's Regicnal staff are residents of Queens. Clearly, relocating the headquarters building to Long Island would cause an unnecessary burden on those workers, particularly since there is plenty of available office space in Queens for the FAA Eastern Headquarters.

FAA claims that there is both an operational and safety need for the Regional Headquarters to be located in close proximity to the TRACON. There is no evidence for an operational need and when pressed during a meeting with Congressman Ackerman, myself and others, FAA Regional Officials said that safety is not a real issue. In my mind, the real issue is keeping 650 jobs in New York City. The Borough of Queens has named several possible sites for the relocation of the Regional Headquarters and is more than willing to work closely with the FAA to this end.

Queens must cope with the environmental, traffic congestion and other effects of having two of the metropolitan area's three major airports within its borders. The least we can do is allow the continued economic benfit of having the FAA Regional Headquarters stay in Queens.

Again, Mr. Chairman thank you for allowing me to testify on this issue that is so important to the economic health of New York City.

Mr. Bosco. Thank you very much.

Does our former colleague, Mr. Guy Molinari, agree with this as well?

Ms. MOLINARI. Yes. As Borough President of Staten Island now, Mr. Chairman, you can imagine that he is very concerned about the loss of jobs to New York City and the impact that this will add to our already devastating economy. So, yes, he joins me in urging your consideration.

Mr. Bosco. Thank you very much. We appreciate your testimony.

Are there any other opening statements? Did you want to make an opening statement, Mr. Ackerman?

Mr. ACKERMAN. If you think I should, Mr. Chairman.

Mr. Bosco. Go right ahead.

Mr. ACKERMAN. If you think it is advisable not to, I will be delighted to sit back.

Mr. Bosco. You're welcome to.

Mr. ACKERMAN. Thank you very much, Mr. Chairman. I appreciate the attention that you have given to this issue and the courtesy that you have extended to myself and the other members who are so concerned about the possibilities of the City of New York losing some 650 jobs, especially during this very, very critical time that we are facing with our economy.

We have had a chance to meet in a bipartisan fashion talking to representatives of the FAA, making suggestions to them, hearing their concerns. They have a contention that they have outgrown their space at the airport. We have no reason to dispute or quibble with that, but there certainly is other space available and I am sure you are going to be hearing about that. It would just be a tragedy at these times for the Federal Government to indicate that it has an intention of abandoning the City of New York, which presently enjoys hosting—and I use that word in the American sense rather than the Middle Eastern sense—two of the three major airports in the metropolitan area, both Kennedy and LaGuardia. We suffer along and complain very little about the noise and the land traffic and all of the other things that the communities have to go through and suffer with. It would be terrible to be left with all of the pain and the burdens and then have to suffer the indignity of seeing 650 jobs and a $30-million-plus payroll leave the City of New York presumably for greener pastures for virtually no apparent reason.

I do appreciate the Chairman's and the rest of the committee's attention to this matter. I would just underscore that it is of paramount concern to our urban area.

Thank you very much, Mr. Chairman.

Mr. Bosco. Thank you, Mr. Ackerman. We will be dealing with that subject very soon.

Let's take the two naming bills first, and then I would like to suggest that since there are some Members of Congress here that we then go on to this question of the FAA facilities, and then take up the Library of Congress issues after that.

First, we would like to welcome Howard Nielson to speak on the subject of the J. Will Robinson Federal Building.

## TESTIMONY OF HON. HOWARD C. NIELSON, A REPRESENTATIVE IN CONGRESS FROM UTAH

Mr. NIELSON. Thank you, Mr. Chairman. I appreciate your having this hearing, and also Mr. Petri for pushing this bill, H.R. 5419.

Utah does not have a history of retaining their incumbents very long. The longest one who ever served Utah in the House was J. Will Robinson, who served 14 years from 1932 to 1946. The next longest was John B. Colton, 12 years, and then we have two with 10 years, that would be Jim Hansen and Gun McKay. I am retiring at 8 years so I am not attempting to take their chief place in the record.

J. Will Robinson was a very fine public servant. He was a Democrat. He was elected in the landslide of 1932 and he served for 14 years. He was instrumental in getting the State National Highway System started even before the Eisenhower Administration, he preceded that by 20 years in getting the Highway System to open the west to the rest of the country.

I think it would be most appropriate to honor him by naming the building, the former post office, the Federal building on 88 West 100 North in Provo, Utah, as the "J. Will Robinson Federal Building."

I would like to submit the rest of my statement for the record. I will be happy to answer questions, if you have any.

Mr. BOSCO. Thank you very much, Mr. Nielson.

Are there any questions? If not, I think you can count on——

Mr. PETRI. I just would say I am hoping this is setting a precedent and that others who are intending to leave these halls will have appropriate buildings named after them for their service here before very long.

Mr. NIELSON. Those who served 14 years probably deserve it.

Mr. PETRI. Well, even a little less if it is with distinction.

Mr. NIELSON. Thank you.

Mr. BOSCO. And with this new wave of initiatives going around the country limiting the amount of service people can have, this may become more and more of a problem. I don't know if we are going to have enough buildings to name with all these short-termers.

Mr. PETRI. Rooms and wings, I think.

Mr. BOSCO. Leases.

Mr. NIELSON. I might say, Mr. Chairman, that today the Post Office and Civil Service is passing out a bill, Senator Watkins Post Office in Orem, Utah, so I am being bipartisan here. Both of them are great men.

Mr. BOSCO. Well, we are very happy to hear that. Our subcommittee is not one of the last bastions of partisanship here on the Hill. We recognize that people such as Mr. Robinson are deserving of public acclamation.

Thank you very much for being here. I think that you can rest assured that the committee will go along with your request.

Mr. NIELSON. Thank you.

[Mr. Nielson's prepared statement follows:]

Statement of the
HONORABLE HOWARD C. NIELSON

before the
Subcommittee on Public Buildings & Grounds
Committee on Public Works & Transportation

September 26, 1990

J. Will Robinson was the true embodiment of a Westerner, both in spirit and in practice. Known as somewhat of a scrapper, he overcame the seeming indifference of the West's harsh environs and poverty, and in his own way, blossomed like a rose in the wilderness.

As Utah's longest-serving Representative, Will Robinson was well-known as an innovator and defender of issues important to the West. As chairman of the Committee on Public Lands, and later the Committee on Roads, he made his mark in the areas of public land management and reclamation.

Robinson considered the highlight of his career to be his role in helping pass legislation that created the National Highway System, which opened the West to the rest of the country and was the last critical step in establishing our national identity.

J. Will Robinson honorably served his State and his country for fourteen years. I believe it would be most appropriate to honor him in return by passing H.R. 5419, which would name the government office building in Provo, Utah the J. WILL ROBINSON FEDERAL BUILDING.

Mr. Bosco. Mr. Green, Bill Green from New York. You are here to speak on the redesignation of the United States Custom House located at Bowling Green in New York as the Alexander Hamilton United States Custom House.

**TESTIMONY OF HON. BILL GREEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK**

Mr. GREEN. Thank you very much, Mr. Chairman. As you point out, I am not here arguing about the location of the FAA Headquarters. Although, I would point out that it has been a bipartisan matter of national policy going back to executive orders in the Nixon and Carter Administrations to try to locate Federal facilities in urban areas in order to make a Federal contribution to the preservation of their economic status. I would hope that those executive orders will be adhered to in reviewing this matter.

But I am here, as you point out, with respect to naming the Customs House at Bowling Green in New York City in memory of Alexander Hamilton. In accordance with your request, I would hope that my full statement could be put in the record and let me just very briefly explain why I think it is appropriate.

Two hundred years ago Alexander Hamilton became our first Secretary of the Treasury. At that time, the seat of the Government was in New York City, he was a New Yorker, and he brought to the new Congress of the United States the plan which basically established the credit of the United States. That was a three-part plan—the Assumption Act, under which the Federal Government assumed the liabilities of the States arising from the Revolutionary War; second, the passage of tariff legislation in order to fund that assumption; and finally, the creation of the Customs Service in order to ensure that the revenues were, in fact, collected. In fact, during the first five decades of the republic, over half of the Federal revenues were collected in the Port of New York by the Customs Service.

This building is of much later origin, obviously. It is a landmark building, however. And it seems appropriate as we celebrate the 200th anniversary of the Republic, of Alexander Hamilton's assumption of the Secretaryship of the Treasury, and of the creation of the Customs Service that we now name this Customs House in the memory of Alexander Hamilton.

That's my case, and I thank you very much for hearing it.

Mr. BOSCO. Thank you very much.

Mr. Petri, did you have any comments?

Mr. PETRI. No, I just would like to commend you for doing this. As we see the enormous changes occurring in the finances in many countries around the world and people seeking to have their debts pared down or forgiven, I think the lesson that Alexander Hamilton taught us of acknowledging the debts and paying them off as a way of establishing your creditability and getting investment in what was at that time a totally undeveloped, or nearly totally undeveloped, continent experience will tell us is certainly a much better way to go. This is a good time to again draw people's attention to that lesson and to the wisdom of Alexander Hamilton. Thank you.

Mr. Bosco. I have one question. This building is also going to be used for the American Indian Museum in New York, as I understand. Is that right?

Mr. GREEN. Well, that's a long and complicated story, as you are probably aware. There is a museum of the American Indian in New York. At one point, the trustees proposed to move it to Texas, I believe. The Attorney General of New York brought a law suit which barred that. At that point, there were a number of efforts being made to try to preserve it totally in New York City. I, frankly, would have preferred a move which would have moved the museum to the grounds of the American Museum of Natural History in New York City. The two boards of trustees, however, were not able to agree on that. And, finally, a compromise was worked out where the bulk of the collection will be moved to the Smithsonian Institution down here, but portions of the collection will be rotated into New York City, presumably within this building. It will occupy only a small part of the building, I should add. There will be other uses of the building.

Mr. Bosco. Okay. Thank you very much. I reflect Mr. Petri's views that this is a well-conceived idea. If only we could have Alexander Hamilton around here this week to help us with our impending emergencies.

Thank you very much, Mr. Green.

Mr. GREEN. Thank you, Mr. Chairman.

[Mr. Green's prepared statement follows:]

Bill Green, M.C.

**Statement of Congressman Bill Green**
**before the**
**Subcommittee on Public Buildings and Grounds**
**September 26, 1990**

Mr. Chairman, Nothing could be more appropriate than to rename the Custom House building located at 1 Bowling Green in New York, New York in memory of Alexander Hamilton. As you know, Alexander Hamilton became the first Secretary of the Treasury in 1789. One of his first duties as Secretary of the Treasury was to pay off debts accumulated during the Revolutionary War. Because he rapidly achieved this goal, and as a result of other sound fiscal policies he established, he is now recognized as the founding father of our American free market economic system.

Alexander Hamilton had his home and law office on the Bowling Green in lower Manhattan within a few yards of where the Custom House building now stands. It was there that Hamilton drilled his Hearts of Oak infantry company, preparing for active duty in the Revolution. Before the federal income tax of 1913, customs duties were the main support of the government and collection of customs duties and excise taxes was the responsibility of Hamilton's Treasury Department. The Custom House on the Bowling Green was the country's largest custom house, and Hamilton founded the Coast Guard in 1790 to protect the revenue against tax evasion by smugglers. His office as the first Secretary of the Treasury was in nearby Fraunces Tavern, and he and his wife Elizabeth are interred in nearby Trinity Churchyard at the head of Wall Street.

It was here in June 1790, that Hamilton, Robert Morris and Thomas Jefferson held the private talks that led to the historic bargain by which Jefferson would arrange for one southern vote in the Senate and five in the House to be switched in support of Hamilton's controversial assumption, funding and sinking fund legislation, in exchange for Hamilton's arranging for enough northern votes to move

the nation's capital from New York to Philadelphia for ten years, and then permanently to the District of Columbia. Each carried out his end of the bargain.

When Hamilton's program finally passed in August 1790, the national debt was crushing, inflation was out of control, and the currency was "not worth a continental." But soon, as a result of the historic bargain, Hamilton's system proved, as he said, that a national debt could be a national blessing, if properly funded. The U.S. dollar became one of the strongest currencies in the world. Interest rates on government debt fell to 4-1/2% and 5%. No one did more to make New York City, though no longer the capital, the financial center of the country and eventually the financial focus of the world.

As 1990 is the Bicentennial of Hamilton's funding program and founding of the Coast Guard, and since the custom building is so suitably located to honor this great and historic figure, I think it only fitting that the custom house be renamed to honor Alexander Hamilton.

Mr. Bosco. We will now proceed with the next matter, the proposed relocation of the FAA's Regional Office at John F. Kennedy International in New York.

I understand that Mr. Ackerman has a statement. Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman. I will, at this time submit a prepared statement for the record, and later will exchange colloquy with the members and witnesses.

Mr. Bosco. Without objection, Mr. Ackerman's prepared statement will appear in the record at this point.

[Mr. Ackerman's prepared statement follows:]

Gary L. Ackerman
9-26-90

Mr. Chairman, I appreciate the opportunity to be here today to express my strong opposition to the GSA prospectus pending before the Subcommittee which proposes the relocation of the Federal Aviation Administration's (FAA) Eastern Regional office at John F. Kennedy International Airport.

While I do not dispute the need for securing larger quarters for the regional office, I believe the headquarters should remain in New York City. The reasons are many.

The New York Borough of Queens is home to two of the metropolitan area's three major airports and has served well as the FAA's homebase for many years. While FAA officials contend that none of the more than 600 employees now at Kennedy Airport will lose their jobs as a result of moving the headquarters to the NY Tracon in Nassau County, by far the largest number of FAA employees live in Queens and those without cars may very well be unable to keep their jobs if the headquarters is moved outside the county. FAA employees deserve accessible working conditions that meet the needs of their demanding jobs, not to mention the fact that New York City is a critical aviation hub which should have FAA personnel close at hand. Moving to the NY Tracon, where homes begin selling at more than $500,000, would be out of the question for most employees.

What's more, Queens residents have endured many disadvantages from airport operations, including noise, pollution and traffic congestion, and should receive the economic benefits of keeping this major Federal work force within its boundaries.

Superior accommodations for the FAA can be found in New York City. Not only has The Port Authority of New York and New Jersey offered to modify the current FAA facility, but also Queens Borough President Claire Shulman has offered free use of city-owned sites for a new headquarters.

The motivation of the FAA, on the other hand, is questionable. On June 11, I received a letter from FAA Administrator James Busey explaining that moving the FAA headquarters to the TRACON in Nassau County is <u>essential to ensure a safe air traffic system</u>. However, in a meeting in my office on June 26, FAA New York Regional Administrator Dan Peterson conceded that safety was not at issue in the proposed move. While Mr. Peterson repeatedly stated that there were "operational" reasons for the move, the only example he cited - that it would be easier to have a meeting between FAA and TRACON employees if they are in close proximity - seems to be completely specious, as the activities of the FAA regional office are <u>strictly administrative</u> and have absolutely nothing to do with operational activities.

What's more, in selecting the Nassau site, the FAA neglected to survey any additional sites for a comparision of costs or any other consideration.

Following a number of meetings in my office concerning the issue of site selection, the FAA amended the prospectus to include an area in Queens as well as the Nassau site. However, the agency's sincerity regarding its willingness to consider any area other than its original site remains doubtful.

The amended prospectus, just like the original, clearly states that the FAA intends to move the regional office to the TRACON. Likewise, the new prospectus repeats the false argument that the move to the TRACON is "imperative ...to ensure a safe, efficient system," and note the need to alleviate air traffic delays and capacity problems.

I must say I read will great interest an article that appeared in the Washington Post on June 17, 1990, which highlighted the delayed flight of Transportation Secretary Samuel Skinner into La Guardia Airport. Aviation experts, including Jack Kies, assistant manager-operations for the NY TRACON, repeatedly stated that "the biggest reason for delays is weather. (And) sometimes the airports taxi out more planes that the system will handle." What's more, on the issue of safety, Secretary Skinner is quoted as saying that "With modern electronics, with modern radios, with modern telephone lines, with fiber optics and microwave, it really doesn't matter where that person is physically looking at the screen, as long as the radar's out at the right place and there's a good data link to the center."

Mr. Chairman, if the Subcommittee can be convinced today that safety really is the FAA's key concern regarding its proposed move, I strongly recommend that the Public Works and Transportation Subcommittee on Investigation and Oversight look into the staffing procedures at the NY TRACON and how the regional office will somehow alleviate air traffic delays and increase capacity by moving closer to the TRACON.

Until then, I urge my colleagues to oppose the prospectus as it is currently written. Thank you Mr. Chairman.

Mr. Bosco. Let's go on now and hear from the Members of Congress who wish to speak on the FAA facilities in New York. I am told that Norm Lent is going to submit his statement for the record.

[Mr. Lent's prepared statement follows:]

Statement of the Hon. Norman F. Lent of New York before the Subcommittee on Public Buildings & Grounds, Sept. 26, 1990.

Mr. Chairman and Members of the Subcommittee -

I want to join today with my colleagues from Nassau County, Congressman Ray McGrath and Congressman Bob Mrazek, in appealing to all of you in the matter of the proposed relocation of the Federal Aviation Administration's Eastern Regional headquarters within the New York metropolitan area.

While I don't believe there is any disagreement among interested parties as to the need for new and more modern office space for the FAA, there are differences of opinion about whether the new facility should be in one county or another. In fact, this difference has been elevated to such a level that I fear that this panel may feel pressed to intervene directly into the decision on where to locate the facility. I think it would be a grave mistake to micromanage what should be an agency decision. If the Congress actively intervenes in this case, where do you draw the line in future cases? Such a political decision would have the unfortunate effect of preventing the FAA and the General Services Administration from making a site selection based on the needs of the FAA employees who would work in the facility, and the best interests of the hard-pressed American taxpayer who must foot the bill for this relocation.

A site selection that should be settled by established, routine administrative procedure has been blown out of all proportion into a controversial political situation. This means that the concerns of employees about the time it takes them to commute to work, the environment in which they work and other

factors will take second place to the concerns of those who see political gain in putting this office in one place or another. It also means that the GSA would not be able to take advantage of a highly competitive office space market in the New York region that would result in savings for the taxpayer.

These are the considerations that should govern the process and I hope this subcommittee will resist the temptation to second guess executive branch officials who are expert at negotiating relocations in the most cost effective manner. We authorize the GSA and pay its workforce to do a job and we should allow them to get on with it unfettered by political considerations. Let's have a fair and open competition and let the market place decide the question. That is the fair way to do things and it is the right way to proceed in this instance.

Thank you.

Mr. Bosco. We will now hear from our colleague from New York, Mr. Mrazek.

## TESTIMONY OF HON. ROBERT J. MRAZEK, A REPRESENTATIVE IN CONGRESS FROM NEW YORK

Mr. MRAZEK. Thank you, Mr. Chairman. I have a formal statement that I would like to submit. I would suggest that the members of the subcommittee might want to curl up with this just before you go to bed tonight. It is fascinating reading, I can assure.

I did have a few points that I wanted to make. I think everyone agrees that the FAA would like to move its office from quarters that are currently unacceptable for a variety of environmental reasons. They have developed a prospectus which is designed to guarantee a fair, open, and competitive process for choosing where the new location should be. I would hope that we could all agree that an open process is one that is in the interest of the taxpayers as well as all of us here concerned.

I would note that in a couple of the statements made this morning by members of the Public Works Committee, there was an indication that there was an abandonment of New York being considered here. I would submit to you that the prospectus does not include any areas outside of the boundaries of the State of New York. In fact, it simply carries a location a little beyond the border of Queens County in New York into Nassau County. I would submit to Mr. Ackerman that we are actually New Yorkers, too, out there in Nassau County. We look the same as people who live in Queens; some of us talk the same language as people who live in Queens. It isn't an abandonment of New York to consider a prospectus that includes a tiny area in Nassau County.

In one of the statements that I have had a chance to review here today, there is a statement, "Moving to the New York TRACON where homes begin selling at more than $500,000 would be out of the question for most employees." That sort of leaped out at me because if that is a factual representation equivalent to others in this statement, I want to suggest to you that although I am sure most people who live near the New York TRACON would love to have homes starting at $500,000, that isn't actually the case.

I really hope that this decision won't come down to simply political considerations. There are real needs here at stake. Public policy should be based upon a fair competitive process and I would hope that would be the case in the subcommittee.

Thank you, Mr. Chairman.

Mr. Bosco. Thank you, Mr. Mrazek. I don't think anyone has doubted that most New Yorkers talk like each other. The question is, do you talk like anyone else in the country? [Laughter.]

[Mr. Mrazek's prepared statement follows:]

Statement by

Rep. Robert J. Mrazek

on the proposed FAA propectus
to relocate the Eastern Regional Headquarters
in Nassau or Queens

Before the

Subcommittee on Public Buildings and Grounds
of the
Committee on Public Works and Transportation

Wednesday, September 26, 1990

Mr. Chairman and members of the subcommittee:

Thank you for allowing me the opportunity to come before this subcommittee to testify in regard to the relocation of the FAA's Eastern Region headquarters.

I appear before you to offer my support for the FAA's proposal to find a suitable new location for its Eastern Region headquarters through a competitive solicitation process. It is clear that the current location at John F. Kennedy International Airport no longer suits the FAA's needs -- it is too small, poorly configured, doesn't meet electrical standards and standards for handicapped access, and is exposed to other environmental and safety hazards.

After exhaustive research and careful examination of its requirements, the FAA has come up with a prospectus that delineates an area for consideration of acceptable office-space offers that includes portions of Nassau and Suffolk counties. It has already been approved by the Office of Management and Budget and the General Services Administration. In the interest of maintaining a safe and smoothly functioning air-traffic control system, it is important that this prospectus be approved as proposed by the FAA and that we not allow political considerations to interfere with the FAA's decision-making process.

Having said this, I won't pretend to not have a political interest in the outcome of this hearing -- I represent part of Nassau County and the new headquarters could conceivably end up in my congressional district. However, I would also point out that, under the FAA's proposal, it could also end up in one of 5 other congressional districts.

I'm sure you are all aware that deciding where to locate the new headquarters has become not simply a battle between congressional districts, but between a city and its suburbs. You will no doubt hear testimony about the plight of New York City and the impact this move could have on it. If that kind of argument is likely to sway the subcommittee, I would only point out that Long Island has been undergoing some rough times of its own. The Grumman Corporation, Long Island's largest employer (located just a few miles from the

TRACON in Westbury) recently laid off 2,500 employees. Just yesterday, I learned that Norden Systems has decided to move most of its Long Island operation to Connecticut. Long Island is in the midst of a housing and commercial real estate slump that has lasted 3 years and shows no signs of abating. In fact, while I welcome the prospects for our nation that the "peace dividend" offers, I am very concerned about its impact on Long Island, whose economy relies on defense spending to a great degree. Locating the FAA Eastern Headquarters in Nassau County would help Long Island's economy just as surely as it would help New York City.

Aside from an economic development point of view, locating the new headquarters in Nassau County makes a great deal of sense for a number of reasons. With 92 percent of the current employees driving to work, a move east into Nassau County would mean that a large number of employees would benefit from a "reverse" commute, avoiding much of the horrendous traffic congestion they now face commuting to JFK Airport. For those relying on mass transit to get to work, the Long Island Railroad and several bus lines serve many potential sites in Nassau County.

Informal polling of FAA employees at the current location indicates overwhelming support for a move to Nassau County -- not just the 39 percent who live in Nassau and Suffolk, but also among those who live in Queens, other parts of the city, and as far away as New Jersey and Westchester. PASS (Professional Airway System Specialists), the union representing the majority of employees working at the Eastern Region headquarters, strongly supports a move to Nassau County. While I would not argue that the decision on where to locate the headquarters should be based primarily on the desires of employees, to ignore their wishes could seriously exacerbate a staffing problem that already exists in the New York area.

According to the FAA, moving the Eastern Region headquarters nearer to the TRACON in Westbury would greatly facilitate communication and interaction between headquarters and the flight-control operations center for the New York area. Also, there is a strong likelihood that moving to Nassau, as opposed to building a new facility in Queens (as some have proposed), would result in great cost benefits to the federal government. At the very least, a prospectus that includes both Queens and Nassau would result in increased competition among commercial real-estate interests bidding for the new headquarters.

Despite all the obvious benefits of locating the FAA Eastern Region headquarters in Nassau County, I am not asking the members of this committee to vote to locate the headquarters in Nassau. I am merely asking that the committee set politics aside and allow the FAA to make its decision based on its own legitimate mission requirements. Cutting Nassau County out of the FAA's prospectus does a disservice to everyone who relies on our nation's air-traffic control system. The FAA has come up with a fair proposal based on its operational needs. I would ask that you let the process move forward without meddling and micro-managing from Congress and approve the FAA's proposed propspectus.

Mr. Bosco. Mr. McGrath, would you like to speak here this morning?

### TESTIMONY OF HON. RAYMOND J. McGRATH, A REPRESENTATIVE IN CONGRESS FROM NEW YORK

Mr. McGRATH. Thank you, Mr. Chairman. Let me tell you how much I appreciate the opportunity to speak in favor of a truly competitive bidding process for the office space of the FAA New York Regional Office.

At the outset, let me say that I am not lobbying for a specific site. There are several great potential sites that exist in my district and in Mr. Mrazek's district, which is contiguous to mine, and in Queens County also. The dispute here in this situation has arisen of whether the office space must remain in Queens. The FAA has determined that it should be near the TRACON Center, which presently resides in my district. For their own purposes, they have, in my judgement and in their judgement, outlived their effectiveness at the airport. They want to move to a site close to the TRACON Center. I believe that any truly competitive bidding process has to allow that to happen.

Now, in the beginning, they had a prospectus which excluded Queens entirely. They came to me and asked me whether that was a good way to go and I said no. I said put the airport area in, put eastern Queens in and let everybody have a shot. Well, I thought that would probably be enough to satisfy my colleagues from Queens but it certainly has not at this particular point in time.

According to the FAA officials, 92 percent of the affected agency employees now drive to work. At least 38 percent of the employees live in Nassau County and 10 percent live in counties outside of New York City. I will tell you that it would be a lot easier for those employees to get to the new offices around the TRACON Center rather than go through and to Kennedy Airport.

To suggest, Mr. Chairman, that we do not take the brunt of any burden of the airport is ludicrous. I live one mile from the airport. We have the same congestion, the same aircraft noise and associated problems around the airport as do people who live in Queens. My building owners in Nassau deserve at least the same chance as the people in Queens to submit their proposal to lease space for the FAA.

I will tell you something else. The employees want to go to Nassau County. One of the reasons they want to go to Nassau County if they live outside of New York City is because when they work in the City they have to pay a commuter tax. Those people who live outside of New York City who would be working in either the Garden City or related areas would not have to pay a commuter tax if they moved the building to the TRACON Center area.

The Port Authority has stated that it would like to keep the FAA at the airport. Where have they been over the last number of years when they allow the FAA employees to work in substandard conditions. They have here an opportunity to take—and they complain about the congestion, too—they have here an opportunity to take more than 500 nonessential cars from the airport, perhaps relieving some of the congestion there.

Mr. Chairman and members of the committee, let me just conclude by saying that we need to have a legitimate bidding process here. The only way to do it is to allow building owners in both of the counties to have the same opportunity to bid. That's all we're asking for. We are not asking to put it in Nassau County or put it in Queens County, as some on this committee are suggesting. We want an open bid process.

Thank you.

Mr. Bosco. Thank you very much, Mr. McGrath.

Mr. Bosco. I think we will call on the Commissioner of the New York City Department of Ports and Trade.

Mr. ACKERMAN. Mr. Chairman.

Mr. Bosco. Yes, Mr. Ackerman.

Mr. ACKERMAN. Might we address a couple of comments and/or questions to our colleagues, not taking too much time because I know the agenda is rather confined?

Mr. Bosco. You may.

Mr. ACKERMAN. I think that those of us representing the areas in question are probably the only ones unanimous in our conclusion that we are the only ones in the Congress who speak without any accent whatsoever. But that's probably as much as we can agree on with respect to the matter before us today.

Mr. Bosco. Well, if you agree on something that has that much credibility to it, I can only wait for your next series of remarks. [Laughter.]

Mr. ACKERMAN. I just want to call to our colleagues' attention that the quote in the article that you did refer to, Bob, was something that appeared in the Washington Post and was not a New York City paper, and it appeared back in June. I also have to remind you that at the time we bought our houses the prices were much lower than for the people buying them now. It just refers—and this is the reporter's quote, it comes from nobody else evidently—it refers to those fashionable sections on Long Island, some of which are big——

Mr. MCGRATH. May I interject there that within the prospectus that has been formulated by the FAA, there are communities, like Hempstead, which is UDAG eligible; Uniondale, which is UDAG eligible; Freeport, which is UDAG eligible. I represent that area and I can tell you—and I look very closely at the prices of houses—and I can assure you that none of them are in the $500,000 range.

Mr. MRAZEK. I wasn't referring to a newspaper article. I am referring to a statement signed by you on September 26, 1990, in which the statement reads; "Moving to the New York TRACON where homes begin selling at more than $500,000 would be out of the question for most employees." This is dated today. It is your statement.

Mr. ACKERMAN. Well, that's the area that they originally intended to move to. As I am sure you know, the proposal was amended and the generosity of the FAA and the level playing field that is being referred to here today as far as an equitable bidding process included zero in Queens County. Zero. Not one square centimeter. And the entire area that was described was just one specific site. As a matter of fact, the previous site that had been considered had the smell of a HUD scandal and everybody had to back off of it,

that's the site in Wantog originally. That had a $30 million price tag to it. Nonetheless, I just don't recall the time that the same righteous indignation about being equitable between Queens, New York City, and Nassau County, Long Island was raised by anyone in this room when the TRACON Center, after 20 years, moved out of Queens County and moved into Nassau County. It seems to me that nobody was here asking that Queens County be allowed to bid on it. As a matter of fact, I don't recall a bidding process whatsoever. I am not sure exactly how that happened, and maybe we shouldn't get into it now, but those who are advocating—and I understand everybody's parochial interest, and I confess here on the record that I certainly have mine—but if we are talking about being equitable between Queens and New York City and Long Island and every other place, then it should apply to all of the facilities. Perhaps, if those who represent the area would like to put the TRACON up for bidding and put the whole thing in a package, maybe we can take a look at that and see where we can get cheaper rent.

Mr. MRAZEK. I would just respond by saying we are all one big happy family in the State of New York and I am sure that a fair, open, competitive process would serve the interests of not only all New Yorkers but the taxpayers as well.

[Mr. McGrath's prepared statement follows:]

STATEMENT OF THE HONORABLE RAYMOND J. MCGRATH

TO

THE SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

OF

THE HOUSE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

26 SEPTEMBER 1990

Mr. Chairman, I appreciate this opportunity to speak in favor of a truly competitive bidding process for the office space needed for the Federal Aviation Administration's New York Regional Office.

At the outset, I wish to point out that I am not lobbying for a specific site. Several potential sites exist in the 5th Congressional District and in neighboring districts in Nassau County and Queens. The dispute in this situation has arisen over whether the office space must remain in Queens.

I strongly support a competitive solicitation process covering the entire area designated by the FAA as appropriate for a new facility. That area would include both Queens and Nassau Counties.

I also want the Subcommittee members to know that the first draft prospectus covering this space did not include any portion of Queens. The proposal now before the Subcommittee is a compromise by the FAA and an effort to treat both municipalities fairly. The compromise did not satisfy my colleague from Queens and municipal officials. In fact, FAA officials offered to expand the area in the proposal within Queens in order to include several additional official buildings. Still, no agreement could be reached.

The new offices should be located where they best meet the operational specifications of the air traffic system and needs of the traveling public. The space

should also be functional, competitively priced, secure and as pleasant as possible for employees.

According to FAA officials, 92% of the affected agency employees now drive to work. At least 38% of the employees live in Nassau or Suffolk Counties and 10% live in other areas outside New York City. To reach offices in Nassau County, those employees would have a shorter commute and they would no longer have to pay New York City income taxes. The employees from Queens and other boroughs of New York City would have a reverse commute and would avoid the terrible congestion on roads leading to Kennedy Airport. For the few employees who do not drive to work, the Long Island Railroad and the Metropolitan Suburban Bus System serve the entire area surrounding the existing Garden City TRACON. That service is better than the mass transit system serving Kennedy Airport.

Nassau County bears a tremendous burden of congestion, aircraft noise, and associated problems. In fact, more flights travel over Nassau County than Queens. Our area deserves a share of the benefits that the airport can provide. Building owners in Nassau deserve at least a chance to submit proposals to lease space to the FAA.

The issue of economic development is implicit in the protests over the FAA move. The land and building

now occupied by the FAA on the Kennedy Airport property would be in great demand, and we are confident that tax paying commercial interests would more than compensate for any loss of federal jobs. The federal government is already contributing millions, if not billions, of dollars to major reconstruction and modernization projects at JFK. Queens County is the major beneficiary of those funds.

The Port Authority of New York has stated that it would like the FAA to remain on the airport. In this Committee and in other forums, the Port Authority has cited limited space, congestion and other problems to justify the federal tax expenditures for airport improvements. Here they have an opportunity to remove more than 500 non-essential cars from the airport. If the Port Authority is so anxious to keep the FAA as a tenant, then the agency can prepare a bid just as any other prospective landlord under the GSA plan.

I would also like to comment on the impact that Subcommittee action will have on FAA employees. Further delays in moving the Regional Headquarters will force employees to work in substandard conditions, and certainly have an effect on the efficiency of FAA operations. Most federal agencies have difficulty attracting and retaining employees in the greater New York area primarily because of the high cost of living

in the region. Poor working conditions exacerbate the other factors that discourage experienced federal employees from remaining in our area. I can think of very few more critical areas of federal activity than air traffic management. The New York area is one of the busiest air corridors in the world, and the Eastern Regional Office of the FAA is the nerve center of that complex system. We need to do everything possible to provide employees with a safe and pleasant workplace.

In summary, I ask the members of the Subcommittee to look at the opportunities that the GSA prospectus provides for the federal government. We have a highly competitive real estate market at this time in both Queens and Nassau Counties. The GSA prospectus as submitted will insure that the American taxpayers, the FAA, and its employees will get the best possible space at the lowest price. It also represents a fair compromise on site issue and the beginning of a long overdue improvement.

Mr. Bosco. Thank you for that bit of optimism.

I think what we will do, since we don't have time to finish before the Journal vote, why don't we take a very brief break and then come back and hear from the Commissioner and the Counsel to the President of the Borough of Queens and the Chief Negotiator and Manager of Lease Operations for the Airport.

We will recess now for just five to ten minutes.

[Recess.]

Mr. Bosco. Let's resume the hearing. I wonder if Mr. Garaufis, Ms. Moses, and Mr. Ford could please come forward.

We welcome each of you. Ms. Moses, are you any relation to the Robert Moses, who built most of New York?

Ms. Moses. No, unfortunately I am not.

Mr. Bosco. Who would like to begin? Perhaps Mr. Ford, would that be satisfactory?

## TESTIMONY OF WALLACE L. FORD II, COMMISSIONER OF NEW YORK CITY DEPARTMENTS OF PORTS AND TRADE

Mr. Ford. Thank you, Mr. Chairman, and good morning. My name is Wallace L. Ford II. I am the Commissioner of New York City's Department of Ports and Trade. I do have some prepared remarks that I will just refer to and would look for them to be entered into the record, and would certainly be prepared to respond to any comments or concerns from the committee as well.

This Department of Ports and Trade is responsible for the aviation policy, planning, development, and management issues for all City-owned aviation facilities, including the two airports and the three heliports which are in New York City.

Earlier this year, the City of New York became aware of the Federal Aviation Administration's plan to relocate its Eastern Regional Office from JFK in the Borough of Queens to Nassau County, which would result in the loss of 650 jobs in New York City. The city's two major airports, LaGuardia and Kennedy, employ over 40,000 people, making them the largest employer in Queens. We are particularly concerned at this time with this potential moveout when the new administration, under the leadership of Mayor David N. Dinkins, has targeted the retention of jobs within the city of New York as a major priority.

The FAA has traditionally played a vital role in the development of transportation and commerce in Queens and, consequently, throughout the City of New York. In 1989, over 30 million passengers passed through JFK, which, of course, is the premier international gateway to the United States. Additionally, 1.4 million tons of cargo were handled at JFK, making it the largest air freight cargo center in the United States, or certainly on the east coast of the United States, and it is inexorably tied to the two airports located in Queens and to the facilities located at the airports, including the main regional office of the FAA.

Given the importance of aviation to the borough, it is essential that the FAA remain in Queens. By accounting for over 650 jobs on its own and benefitting from a location in the heart of New York City's aviation region, the FAA's Eastern Regional Office will both complement and augment the commercial and governmental avia-

tion facilities already located in Queens, most of them at the airports already.

Since the FAA—and this is just one point we would like to get across, Mr. Chairman. I know time is short here, but since the FAA announced its intention to relocate its Eastern Regional Office, the New York City agencies and elected officials have worked to incorporate the concerns of the FAA into a comprehensive package of relocation alternatives. As we understand the FAA's concerns, they include an expansion of its existing office space, solutions to the traffic congestion at and around the airport, and the benefits from shared facilities with other Federal agencies. The Port Authority of New York and New Jersey, as well as the city and State, are working to address those concerns. Of course, the Port Authority is redesigning JFK's internal roadways and highway links currently. In addition, the city and State and Port Authority are investigating the feasibility of a direct transit link to both airports.

In the discussions with the FAA, the Port Authority has offered to renovate the existing facility at the Fitzgerald Federal Building and has expressed a willingness to explore alternate on-airport sites. The Mayor's Office of Business Development has prepared a comprehensive report for the FAA of potential relocation sites in Queens which would allow the FAA to achieve all of its space and locational needs. We have shared this report on a confidential basis with GSA and the city is committed to working cooperatively with GSA and the FAA on suitable alternative locations if a determination is made that the present building cannot be renovated to meet its future needs.

Ultimately, Mr. Chairman, the issue we believe in the City of New York is for the FAA Regional Office to remain in the City of New York. By the prior testimony, 52 percent of the employees of this office live in New York City. It is certainly our opinion and perspective that the people who make that particular FAA Regional Office work are the ones who live in New York City, the middle management and lower management people of that particular entity. We would not want to see a move made by the FAA that would simply benefit some of the senior management of the FAA who may live in other parts of New York other than New York City. Queens does, in fact, bear the brunt of the location of JFK and LaGuardia in terms of pollution, environmental concerns, traffic concerns, and the like. To remove jobs from Queens and from the New York City area at this point in time, Mr. Chairman, we believe would be a terrible thing to do. We certainly are in favor of an open bidding process and we believe in an open bidding process that the City of New York and the Borough of Queens would in fact be successful at.

Finally, I would like to suggest that logic does not support the notion that where you have the largest airport complex between LaGuardia and Kennedy airports in the United States, that the Federal Aviation Administration would seek to move their regional office further away from that particular airport complex. There is no logic which attaches in this particular analysis that we can appreciate. We think it is time certainly at the city, State, and Federal levels that actions are taken by Government which do make sense and which pursue the lines of logic that everyone can under-

stand. In this particular instance, we think logic dictates that the FAA Regional Office would be next to the largest airport complex in the United States since it is responsible and has jurisdiction for these particular operations.

I would like to thank the committee for giving the City of New York an opportunity to be represented and allowing me to testify here this morning. We look forward to working with you in seeing a successful resolution of this particular matter.

Mr. Bosco. Thank you, Mr. Ford.

Mr. Garaufis, do you want to proceed?

## TESTIMONY OF NICK GARAUFIS, COUNSEL TO THE PRESIDENT OF THE BOROUGH OF QUEENS, NY

Mr. GARAUFIS. Good morning, Mr. Chairman and members of the subcommittee. I have written testimony which I would request be produced in the record.

Mr. Chairman, my name is Nicholas G. Garaufis. I am Counsel to the Honorable Claire Shulman, President of the Borough of Queens in the City of New York. The Borough of Queens, comprised of 2 million people, serves as the home of two of the busiest airports in the Nation—John F. Kennedy International and La-Guardia. These two facilities have a combined total of approximately 2,000 commercial flight operations each day of the year.

We have reviewed the proposed prospectus which would potentially result in the removal of the FAA's Regional Headquarters from its current location at John F. Kennedy International Airport to a place outside the Borough of Queens. Borough President Shulman believes that the best interests of the city, the Borough, and the FAA are identical and that the FAA should retain its 650 Regional Headquarters staff members in Queens.

Obviously, an airport—or airports, as we have in Queens—is a mixed blessing. The lack of a National noise policy, the failure to phase in quieter aircraft and retool noisy aircraft engines with noise-muffling equipment which is now available, the ground congestion which surrounds any aviation facility are but a few of the disadvantages of having an airport located near homes, schools, and hospitals. As to these general problems, we in Queens have a special distinction of serving as the home of the second largest air cargo facility in the world, the largest in the western hemisphere, John F. Kennedy International Airport. Eighteen wheelers and warehouses have invaded once quiet residential communities in Queens, in a quiet, middle class, predominantly minority community near Kennedy Airport.

Now offsetting these problems are the jobs and businesses which aviation generates and the economic vitality which results. But without these benefits, there are very few reasons that we can give to an overburdened community as to why we should suffer the daily barrage of noise and congestion which airports generate.

Borough President Shulman and I have worked closely with the FAA over the years. It is a very talented group, a sensitive agency when it comes to community problems. Its regional leadership, Regional Director Dan Peterson and Deputy Regional Director Bill Handel, have demonstrated a high level of professionalism in all

our dealings. However, we must object to the removal of these jobs from the Borough of Queens which would result in any decision to move the FAA to Nassau County.

If we look at the job titles and responsibilities of the 650 employees of the Eastern Regional Headquarters, we believe it will become clear that the overwhelming majority of them have no direct operational responsibilities over TRACON and that any TRACON related discussions can be satisfactorily conducted at TRACON or at the Regional Headquarters.

Safety is not an issue, although it was raised as such by the FAA Administrator in early correspondence with members of the New York City delegation. Clearly, if placement of the FAA professional and clerical staff in the Eastern Region had any serious safety implications for the riding public or for the people who live in the vicinity, Mrs. Shulman would be the first to recommend that safety comes first. With 2,000 planes taking off or landing in Queens each day, who has more at stake than we do?

I leave to the Port Authority the discussion of its willingness and its energy in creating an opportunity for the FAA to remain at John F. Kennedy International Airport. I will simply say that we support the efforts which are being made by Representatives Ackerman and Molinari to colleague, Borough President Guy Molinari of Staten Island, who has evidenced a great deal of support, as so indicated to Admiral Busey of the FAA.

We urge the subcommittee and the Congress as a whole to endorse the solution proposed by Congressman Ackerman. It would create the least dislocation and send a clear signal that the Federal Government continues to be a full partner in the effort to stabilize and strengthen the economic underpinning of our cities. Mrs. Shulman believes that the people who suffer the greatest discomfort from an industry such as aviation should have the greatest access to the jobs which are created by that industry.

Thank you.

Mr. Bosco. Thank you very much.

Ms. Moses, would you like to testify?

**TESTIMONY OF LINDA MOSES, CHIEF NEGOTIATOR/MANAGER LEASE OPERATIONS, JOHN F. KENNEDY INTERNATIONAL AIRPORT, PORT AUTHORITY OF NEW YORK AND NEW JERSEY**

Ms. MOSES. I am Linda Moses, Chief Negotiator/Manager, Lease Operations, for the Port Authority of New York and New Jersey at John F. Kennedy International Airport in Jamaica, New York. The Port Authority welcomes the opportunity to give testimony to the subcommittee regarding our desire to retain the FAA as an airport tenant and prominent member of the JFK community.

The Port Authority believes that relocating the FAA's offices away from the airport is unnecessary as we have developed viable alternatives. In fact, the Port Authority has already expended in excess of $300,000 in the development of a design, plans and modifications to modernize and bring to full compliance the FAA's current site known as the Fitzgerald Federal Building 111. This was done over a one and a half year period with both FAA and GSA staffs. The FAA site currently encompasses 10.3 acres of land and

203,000 square feet of building space. This same modernization program could be expanded to include an addition of up to 50,000 square feet of building space, creating a 25-percent increase in area. The total project would take up to two years for completion and would require minimum displacement of building occupants as there would be sufficient swing space within the building to accommodate the modification plan.

We have also developed several other on-airport options for the FAA's consideration, and they are as follows:

One, the FAA could lease Building 178 which now houses U.S. Customs and is contiguous to FAA's Building 111. The Port Authority has worked with Customs to satisfy their needs to consolidate their staff offices and they will be relocating to another on-airport site by the spring of 1992. Once this move is completed, Building 178 could be used by the FAA as a staging site while major renovations are completed in Building 111. The buildings could be physically joined or remain separate entities. Together, Buildings 111 and 178 would provide 250,000 square feet of space and 16.6 acres. Under this scenario, if Building 111 were built out an additional 50,000 square feet, the resulting 300,000 square feet would be 48 percent larger than the FAA's current space and will meet their space demands well into the foreseeable future. The Port Authority stands ready to develop and renovate these buildings to suit the FAA's requirements.

Two, the Port Authority on behalf of the FAA, or the FAA alone, could construct an office building on the site of Building 14 where Japan Airlines will be redeveloping the site for office and cargo use. The office building could be part of the new Japan Airlines development project with capacity for approximately 250,000 square feet of office space and ample parking area. This building could be "built to suit" with a design and estimate package as early as six to nine months and occupancy within three years.

Three, the Port Authority on behalf of the FAA, or the FAA, could construct a new building on a site adjacent to Building 141 on Federal Circle. Here again, a building could be constructed to suit the specifications of the FAA.

The FAA is an integral part of the JFK community and there are enough viable options to warrant serious review of the proposal to leave the airport. The Port Authority is now engaged in a master plan designed to make John F. Kennedy International Airport a twenty-first century facility. The FAA should remain an integral part of that plan.

In closing and in answer to the question of where the Port Authority has been, I would like to give you a brief history of the FAA at Building 111, which was built to their specifications in 1949. Prior to the expiration of the final option period of their original lease in 1979, the Port Authority entered into discussions with the GSA concerning a new 20-year lease for Building 111. At that time the Government was not prepared to enter into another long-term agreement and as a result the parties agreed to a lease extension to June 30, 1984. The GSA, however, never executed the lease documents. The rentals were eventually paid through Rental Releases at $5 per square foot and $12,000 per acre commencing in

July of 1979, and $5.25 per square foot and $12,000 per acre commencing July 1, 1982.

At that time we were advised by GSA that current procedures precluded them from entering into discussions exclusively with the Port Authority with respect to their requirements for office space after June 30, 1984. GSA was required to solicit offers and to meet and negotiate with those parties who were capable of satisfying their requirements. Nothing further developed from the GSA's Solicitation for Offers. The FAA then began talks regarding modifying their building and those discussions took place through 1986, with the Port Authority unable to obtain a lease commitment. In July of 1986, the rent was increased 15 percent to $6.03 per square foot and $13,800 per acre where it remains today. After further delay, building modification discussions commenced in 1988 in earnest and the Port Authority spent in excess of $300,000 through the fall of 1989 when we learned from the media that the FAA was planning a move to Nassau County. The FAA has benefitted greatly from the extremely low rents it paid during the past eleven years of holdover tenancy. The Port Authority has allowed them every leeway to negotiate a business and physical arrangement to suit their needs. The FAA's rent has always been set below the JFK market and will continue to remain less than market.

I have given you this brief history in order to demonstrate to you the Port Authority's past commitment to work with the FAA and the GSA, and of our continued willingness to do so. We believe that the presence of the FAA at Kennedy has been mutually beneficial to the Port Authority, the airport tenants, and the FAA. We are anxious to see that relationship continue.

Again, thank you for the opportunity to state our views.

Mr. Bosco. Thank you very much, Ms. Moses.

We have a full committee meeting that is supposed to start very soon, so I am going to ask members to try to be brief. Are there any questions of this panel?

[No response.]

[The prepared statements of Mr. Ford, Mr. Garaufis, and Ms. Moses follow:]

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DEPARTMENT OF PORTS AND TRADE
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WALLACE L. FORD II
COMMISSIONER

TESTIMONY BY

WALLACE L. FORD II
COMMISSIONER
NEW YORK CITY DEPARTMENT OF PORTS AND TRADE

BEFORE THE

SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

OF THE

COMMITTEE ON TRANSPORTATION AND PUBLIC WORKS

OF THE

UNITED STATES HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 1990

Good morning, my name is Wallace L. Ford II. I am the Commissioner of New York City's Department of Ports & Trade. Within our diverse mandate, the Department is responsible for aviation policy, planning, development, and management issues for all City-owned aviation facilities, including the City's two airports and three heliports.

Early this year, the City became aware of the FAA's plan to relocate its Eastern Regional Office from JFK International Airport in the Borough of Queens to Nassau County, which would result in the loss of 650 jobs in New York City. New York City's two major airports employ over 40,000 people, making them the largest employer in Queens. We are particularly concerned with this potential move-out at a time when the new administration, under the leadership of Mayor David N. Dinkins, has targeted the retention of jobs within the City as a major priority.

The FAA has traditionally played a vital role in the development of transportation and commerce in Queens and, consequently, in New York City. In 1989, over 30 million passengers passed through JFK, the premier international gateway into the United States. Additionally, approximately 1.4 million tons of cargo were handled at JFK last year. Clearly, the importance of New York as an international center

for transportation and commerce is inexorably tied to its two dynamic airports located in Queens and to the facilities located at the airports, including the main regional office of the FAA.

Given the importance of aviation to the borough, it is essential that the FAA remain in Queens. By accounting for over 650 jobs on its own and benefitting from a location in the heart of New York City's aviation region, the FAA's Eastern Region Office will both complement and augment the commercial and governmental aviation facilities already located in Queens, most of them at the airports.

Since the FAA announced its intention to relocate its Eastern Region Office, City agencies and elected officials in Queens have worked to incorporate its concerns into a comprehensive package of relocation alternatives. As we understand the FAA's concerns, they include an expansion of its existing office space, solutions to the traffic congestion at and around the airport, and the benefits from shared facilities with other Federal agencies. The Port Authority of New York and New Jersey, which operates JFK and LaGuardia airports, is working with the City and State to address all of these issues. Specifically, the Port Authority is in the process of redesigning JFK's internal roadways and highway links,

including flyovers to the Belt Parkway and Nassau Expressway. In addition, the City, State and Port Authority are investigating the feasibility of a direct transit link to both airports. In discussions with the FAA, the Port Authority has offered to renovate its existing facility at the Fitzgerald Federal Building and has expressed a willingness to explore alternate on-airport sites.

Irregardless of alternate JFK sites, there are other locations in Queens that will meet all of the FAA's criteria. Most of them are in close proximity to the airport and to the proposed transit link, recognizing the FAA's desire to locate close to its operational center at JFK. The Mayor's Office of Business Development has prepared a comprehensive report for the FAA of potential relocation sites in Queens which will allow the FAA to achieve all of its space and locational needs. We have shared this report on a confidential basis with GSA. The City is committed to working cooperatively with GSA and the FAA on suitable alternative locations if the FAA determines that its present building cannot be renovated to meet its future needs.

Through conversations with the FAA, we have carefully analyzed its arguments for relocation to a Nassau County facility, near the TRACON site. While we understand the

importance of the TRACON to regional aviation operations, we do not understand why a location for the regional office in Nassau County is operationally more efficient. Rather, the appropriate location for the FAA's Eastern Regional Office should be at or near JFK, the largest aviation facility within the Eastern Region.

**Testimony of Nicholas G. Garaufis, Counsel to Claire Shulman, President of Borough of Queens, New York**

**Subcommittee on Public Buildings and Grounds, House Public Works and Transportation Committee**

**Wednesday, September 26, 1990**

Good Morning, Mr. Chairman and Members of the Subcommittee.

My name is Nicholas G. Garaufis. I am Counsel to the Honorable Claire Shulman, President of the Borough of Queens in the City of New York. The Borough of Queens, comprised of 2 million people, serves as the home of two of the busiest airports in the Nation, John F. Kennedy International and LaGuardia. These two facilities have a combined total of approximately 2,000 commercial flight operations each day of the year.

We appreciate the opportunity to testify before the Subcommittee on Public Buildings and Grounds regarding a proposal by the General Services Administration to publish a prospectus for the lease of a new Regional Headquarters facility for the Eastern Region of the Federal Aviation Administration.

We have reviewed the proposed prospectus which would potentially result in the removal of the FAA's Regional Headquarters from its current location at John F. Kennedy International Airport to a location outside the Borough of Queens and the City of New York. Borough President Shulman believes that the best interests of the City, Borough and the FAA are identical and that the FAA should retain its 650 Regional Headquarters staff members in Queens.

Before citing the reasons why the FAA should not be permitted to desert New York City and the Borough of Queens, I will address myself to our overall relationship with this outstanding agency. Any local official who has a busy commercial airport in his or her jurisdiction knows full well that aviation is a mixed blessing.

The lack of a national noise policy; the failure to phase in quieter aircraft and retool noisy aircraft engines with noise-muffling equipment which is now available; and the ground congestion which surrounds any aviation facility; are but a few of the disadvantages of having an airport located near to homes, schools and hospitals. Added to these general problems, we in Queens have a special distinction of serving as the home of the largest air cargo facility in the Western Hemisphere, second largest in the world, JFK. Eighteen wheelers and warehouses have invaded once quiet residential communities.

Offsetting these problems, are the jobs and businesses which aviation generates and the economic vitality which results. But without these benefits, there are very few reasons that we can give to an overburdened community as to why we should suffer the daily barrage of noise and congestion which airports generate.

Borough President Shulman and I have worked with the FAA over the years to deal with environmental and other problems generated by aviation. FAA is a talented and sensitive agency when it comes to community problems. Its regional leadership, including

Regional Director Daniel Peterson and Deputy Regional Director William Handel, has demonstrated a high level of professionalism in all our dealings. However, we must object to the removal of more than 650 jobs from the Borough of Queens which would result from any decision to move the FAA to Nassau County.

First, let us examine the argument which has been made by some FAA executives that it is essential to move Regional Headquarters to Nassau County within two miles of the New York Terminal Radar Control Facility (TRACON) in Nassau County, ostensibly for reasons of safety and operational problems.

The fact is that dozens of such TRACON radar facilities dot the continent, with many of them located hundreds of miles from the regional headquarters which supervise them.

Moreover, if an analysis is made of the job titles and responsibilities of the 650 employees at Eastern Regional Headquarters, we believe it will become clear that the overwhelming majority of them have no direct operational responsibilities over TRACON and that any TRACON related discussions can be satisfactorily conducted at TRACON or at the Regional Headquarters.

Safety is not an issue, although it was raised as such by the FAA administration in early correspondence with members of the New York City Congressional Delegation. Clearly, if placement of the FAA professional and clerical staff in the Eastern Region had

any serious safety implications, Mrs. Shulman would be the first to recommend that safety comes first. With 2,000 planes taking off or landing in Queens each day, who has more at stake than we do?

The retention of the FAA Regional Headquarters in New York City's Borough of Queens is critical for a number of reasons. In addition to the fact that the majority of its employees reside in New York City, a Queens facility would make it possible for employees to continue to utilize public transportation to commute to work.

The Port Authority of New York/New Jersey, JFK's operator, has indicated its willingness to develop adequate additional and upgraded office space for the FAA at JFK. Urban renewal land is located in Downtown Jamaica and other space is available in the Borough for this purpose.

A key consideration for the retention of FAA at Kennedy Airport in Queens is the fact that Kennedy is the primary port of entry for visitors from foreign countries to the United States and the busiest international air cargo facility in the Western Hemisphere. The FAA would send an important message to the international aviation community by remaining in Queens and maintaining high visibility at this important operational and economic hub for its aviation network. Aviation related business would be encouraged to stay as well.

Moreover, any site in Queens County between Kennedy and LaGuardia Airports would provide an ease of transportation for FAA officials and others visiting the Regional Headquarters. Unfortunately, a building in the vicinity of the New York TRACON in Westbury, Long Island would be out of the way and only accessible from the two airports by lengthy and costly taxi rides

We support the efforts which are being made by Representatives Gary Ackerman and Susan Molinari to retain the FAA in New York City. We urge the Subcommittee and the Congress as a whole to endorse this solution. It would create the least dislocation and send a clear signal that the Federal Government continues to be a full partner in the effort to stabilize and strengthen the economic underpinning of our cities. Mrs. Shulman believes that the people who suffer the greatest discomfort from an industry such as aviation should have the greatest access to the jobs which are created by that industry.

Borough President Shulman urges the subcommittee to limit any prospectus for the FAA Eastern Regional Headquarters to the Borough of Queens in the City of New York. We appreciate your time and consideration.

STATEMENT OF
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

ON

GSA PROSPECTUS ON FAA EASTERN REGIONS/NEW YORK

BEFORE
THE HOUSE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION
SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

September 26, 1990

Linda Moses
Chief Negotiator/Manager Lease Operations
John F. Kennedy International Airport
The Port Authority of New York and New Jersey
Jamaica, New York 11930

I am Linda Moses, Chief Negotiator/Manager Lease Operations, for The Port Authority of New York and New Jersey at John F. Kennedy International Airport in Jamaica, New York. The Port Authority welcomes the opportunity to give testimony to the subcommittee regarding our desire to retain the FAA as an airport tenant and prominent member of the JFK community.

The Port Authority believes that relocating the FAA's offices away from the airport is unnecessary in that we have developed viable alternatives. In fact, the Port Authority has already expended in excess of $300,000 in the development of a design, plans and specifications for modifications to the FAA's site (known as the Fitzgerald Federal Building #111) to satisfy their specific needs. This was done over a one and a half year period with the FAA and GSA staff. The FAA site currently encompasses 10.3 acres of land and 203,000 square feet of building space. This same modernization program could be expanded to include an addition of up to 50,000 square feet of building space creating a 25% increase in area. The total project would take up to two years for completion and would require minimum displacement of building occupants as there would be sufficient swing space within the building to accommodate the modification plan.

We have also developed several other on-airport options for FAA consideration, as follows:

1. The FAA could lease Building #178 which nov houses U.S. Customs and is contiguous to FAA's Building #111. The Port Authority has worked with Customs to satisfy their needs to consolidate

their staff offices and they will be relocating to another on-airport site by the Spring of 1992. Once this move is completed, Building #178 could be used by the FAA as a staging site while major renovations are completed in Building #111. The buildings could be physically joined or remain separate entities. Together, Buildings #111 and #178 would provide 250,000 square feet of space and 16.6 acres. Under this scenario, if Building #111 were built out an additional 50,000 square feet, the resulting 300,000 square feet would be 48% larger than the FAA's current space and will meet their space demands well into the foreseeable future. The Port Authority stands ready to redevelop and renovate these buildings to suit the FAA's requirements.

2. The Port Authority on behalf of the FAA, or the FAA alone, could construct an office building on the site of Building #14 where Japan Airlines will be redeveloping the site for office and cargo use. The office building could be part of the new Japan Airlines development project with capacity for approximately 250,000 square feet of office space and ample parking area. This building could be "built to suit" with a design and estimate package as early as six to nine months and occupancy within three years.

3. The Port Authority on behalf of the FAA, or the FAA, could construct a new building on a site adjacent to Building #141 on Federal Circle. Here again, a building could be constructed to suit the specifications of the FAA.

The FAA is an integral part of the JFK community and there are enough viable options to warrant serious review of the proposal to leave the airport. The Port Authority is now engaged in a master plan designed to make John F. Kennedy International Airport a twenty-first century facility. The FAA should remain an integral part of that plan.

In closing, I would like to give you a brief history of the FAA at Building #111, which was built to their specifications in 1949. Prior to the expiration of the final option period of their original lease in 1979, the Port Authority entered into discussions with the GSA concerning a new 20 year lease for Building #111. At that time the government was not prepared to enter into another long term agreement and as a result the parties agreed to a lease extension to June 30, 1982 with an option to extend to June 30, 1984. The agency, however, never executed the lease document. The rentals were eventually paid through Rental Releases at $5 per square foot and $12,000 per acre commencing in July of 1979 and $5.25 per square foot and $12,000 per acre commencing July 1, 1982. At that time we were advised by GSA that current procedures precluded them from entering into discussions exclusively with the Port Authority with respect to their requirements for office space after June 30, 1984. GSA was required to solicit offers and to meet and negotiate with those parties who were capable of satisfying their requirements. Nothing further developed from the GSA's Solicitation for Offers. The FAA then began talks regarding modifying their building and those discussions took place through 1986, with the Port Authority unable to obtain a lease commitment. In July of 1986, the rent was increased 15% to $6.03 per square foot and $13,800 per acre. After further delay, building modification discussions commenced in 1988 in earnest and the Port Authority

spent in excess of $300,000 for plans, designs, and specifications through the Fall of 1989 when we learned from the media that the FAA was planning a move to Nassau County. The FAA has benefited greatly from the extremely low rents it paid during the past eleven years of holdover tenancy. The Port Authority has allowed them every leeway to negotiate a business and physical arrangement to suit their needs. The FAA's rent has always been set below the JFK market and will continue to remain less than market.

I have given you this brief history in order to demonstrate to you the Port Authority's past commitment to work with the FAA and GSA, and our continued willingness to do so.

Again, thank you for the opportunity to state our views.

Mr. Chairman, I would be pleased to try and answer any questions the subcommittee might have.

Mr. Bosco. We will proceed with panel II.

Our second panel today consists of Brooks Goldman, the Associate Administrator for Administration, Federal Aviation Administration; and David Bibb, who is our Assistant Commissioner for GSA. I wonder if both panelists would try to limit their remarks to a minute or two minutes. I regret having to ask you to do that but we are under a time pressure.

Mr. BIBB. Mr. Chairman, we will certainly be pleased to do that.

**TESTIMONY OF DAVID L. BIBB, ASSISTANT COMMISSIONER, OFFICE OF FACILITY PLANNING, PUBLIC BUILDINGS SERVICE, GENERAL SERVICES ADMINISTRATION; BROOKS GOLDMAN, ASSOCIATE ADMINISTRATOR FOR ADMINISTRATION, FEDERAL AVIATION ADMINISTRATION**

Mr. BIBB. GSA in proposing a leasing action such as this one has a couple of major concerns which I would like to highlight. One of those is for the operational needs of the client. As far as establishing the delineated area, we look to the client to take the lead, in this case FAA, in establishing that area. We do feel that they have certainly presented and in working with them over the past six or eight months at least from the central office position that they have made a good case for the necessity of some kind of close operational relationship with the TRACON facility. So we are concerned with our clients operational needs.

The second thing we are concerned with is competition. Since the passage of the Competition in Contracting Act, we are always looking for maximum competition. We believe we have a delineated area that does afford that. The delineated area includes—which I am sure you are aware—the current JFK airport area as well as eastern Queens and parts of Nassau County.

So with that, I will stop.

Mr. Bosco. Thank you for your brief statement.

Mr. Goldman, you may proceed.

Mr. GOLDMAN. I will be just about as brief. I do want to thank the committee for inviting us up for this particular hearing.

I am glad to hear in the testimony so far that there is no one who doesn't agree that the FAA needs to move out of the building that it currently is in at JFK Airport. That building has been declared an unacceptable work environment for the people who are working there for numerous reasons and we do need to move. That is the reason that has driven us to look at some of the spaces that are already available as opposed to those that would be available through construction.

Why we picked initially the area around Westbury, which is where the New York TRACON is located—and, by the way, that TRACON was built on already owned Government property, so it was not competed from that standpoint—is that it made sense to us to have the Regional Headquarters located with the TRACON if at all possible because that TRACON is the focal point for solving the kinds of problems that have been brought up—the noise, the pollution, the delay problems that are being experienced in the New York area. It also would make sense to have it adjacent to provide some common support facilities such as day care facilities. And

maybe more important, at least the one building that did come up was available so that we could move in within a six month to a year period as opposed to a two year period.

We then looked at it because of the concerns and do agree that more competition is required. That's why we have picked the portions of Queens and Nassau County for that competition. We would recommend that the committee allow us to go ahead and have the competition there.

Thank you.

Mr. BOSCO. Thank you very much.

Are there any questions from members of the subcommittee?

Mr. DUNCAN. Yes, Mr. Chairman, I have a couple of questions.

Mr. Bibb, a previous witness mentioned that they were paying $5.25 a square foot or something like that. I notice in this prospectus that you are asking for a maximum annual cost of $7 million for this lease, $36 to $40 a square foot. Why does the cost of this have to jump up so dramatically? Is there not any lower priced space available any place in that area?

Mr. BIBB. That's our estimate of the market. That is not to say if we have a good competition we can't come in lower than that. It would certainly be our hope that would happen. We do believe for whatever the reasons the current facility has outlived its usefulness and we are going to have to make some kind of move out of there. But $36 to $40 is a range; it could easily come in below that.

Mr. DUNCAN. How many square feet do you have now at the present facility?

Mr. BIBB. We have 145,000 square feet.

Mr. DUNCAN. And you are going to ask for almost 30,000 square feet more.

Mr. BIBB. Actually, the increase is only about 2,000 square feet. We also have two other lease locations in addition to the main building, so the total FAA in their current three locations is 171,000 square feet, 145,000 of that is in Building 111 which we have been talking about, the rest is in two other lease locations. So the increase is only less than 2,000 square feet.

Mr. DUNCAN. How far is the TRACON area from the JFK Airport?

Mr. GOLDMAN. It is approximately 20 miles.

Mr. DUNCAN. Twenty miles. All right. Thank you very much.

Mr. BOSCO. Thank you.

Mr. Ackerman.

Mr. ACKERMAN. Thank you very much, Mr. Chairman.

I have been listening for some months now to not arguments but rather statements that it is important for this to move next to the TRACON for operational reasons. Mr. Bibb, you cite that they have made a good case to you about operational reasons. I must have asked the question twenty times, fifteen different ways as to how they are going to solve operationally the air traffic congestion problems by moving next to the TRACON. Nobody has an answer for me other than it is easier to get to work. Could you tell me what the operational reasons are that they have to be next to the TRACON?

Mr. BIBB. I think Mr. Goldman can probably answer that better than I can.

Mr. ACKERMAN. But they have made the case to you?

Mr. BIBB. Yes.

Mr. GOLDMAN. The TRACON is, as I said earlier, is the focal point for the issues that you have brought up, Congressman, related to the noise and the pollution and the delays. Having the management of the TRACON facility closer to the facility we believe will give it some emphasis to assure that those problems are——

Mr. ACKERMAN. How is moving clerks and administrators next to the guys who are doing the screens going to solve anything? What are you going to tell them if you move nearby that you can't tell them on the telephone? Are they disobeying the policy unless you are walking around there with clubs?

Mr. GOLDMAN. No, obviously they aren't disobeying the policy. The feeling is that the managers of the managers being in a closer vicinity will have the opportunity to——

Mr. ACKERMAN. But these aren't the managers; these are the administrators you are talking about. There are managers over at the facility, are there not?

Mr. GOLDMAN. There are but they report to an Air Traffic Division Manager who is in the Regional Headquarters.

Mr. ACKERMAN. It seems to me that the TRACON moved about 1980 after being at the airport for 20 years, from about 1960 to 1980. As early as 1981, very early in the Reagan Administration, the immediate past predecessor to the current Administration, you wanted to move off of the airport with the FAA Regional Office not next to the TRACON, you had a different excuse then, you wanted to move it out of New York City, New York State, Long Island and completely up to a suburban area in Massachusetts citing that the need had to be that you were near manufacturing places is why your administrative offices had to move. It seems to me that you guys are trying to maneuver in every which way to get out of New York City for one reason or another. It also seems to me that the difference between $5 a square foot and $40 a square foot, cited by the GSA as far as the market—and after hearing the testimony of the landlord at the airport, the bi-State Port Authority of New York and New Jersey stating that they could build and lease you space. Could you tell us anything about the Customs Building, how much square footage is there that is going to be available right next door?

Mr. BIBB. I do not have that with me, no, sir. Certainly, if the Port Authority can come up with a good competitive offer, that will be considered as they are in the delineated area. I don't think GSA wants to be in the position of any kind of sole source type position. We would rather let the market give us the best deal. If that can be far below the range in the prospectus, that's fine.

Mr. ACKERMAN. One additional question which I think is really important inasmuch as we can't find out how it is going to solve problems except if you have the administrators be there next to the people they have hired as the managers for the facility and, therefore, by some kind of osmosis be able to come up with a way to solve air traffic problems. After making the strong argument that it was absolutely necessary for all these operational purposes to move next to the TRACON in a very limited couple of miles area of the TRACON. As my colleagues previously noted people's

working patterns and driving patterns, etc., what we have been able to determine is the only people who live near the TRACON, work at the FAA Regional Offices, are the top highest salaried executives who live in the vicinities of Garden City, etc., and that most of the lower paid workers live in Brooklyn and Queens. Suddenly, in what presumes to be a spirit of accommodation, you have expanded your area from the TRACON to include eastern Queens. It seems to me looking at a map that eastern Queens is still very close to where these people live but is far enough away from TRACON. You have suddenly abandoned your absolute need to be next to the TRACON and you are willing to be as close as 15 miles away or 18 miles away or 19 miles away but not 20 miles away. I don't understand that. It seems to be a rather specious argument.

Mr. GOLDMAN. Just two points, sir. First, you are right, we did change our position and it was in the interest of competition to see that the Government gets the best dollar cost for the facility. We felt that overrode the absolute need to be directly adjacent to the facility.

Mr. ACKERMAN. Is the $40 a square foot a better deal for the Government than $5 a square foot?

Mr. GOLDMAN. Obviously, it is not, but we don't know what the actual numbers will be when we bid it.

The only other point I would make, sir, is we are not moving the people. I mean, their living areas are not changing. The people who would work at the new Regional Headquarters facility, wherever that is, will not be moving their homes. As near as we can tell, maybe 12 people have shown some interest in moving——

Mr. ACKERMAN. That wasn't my point. My point was that you are proposing to move a Federal facility next to the homes of where the top paid executives live rather than suffering them the indignity of travelling down the road 20 minutes into the City of New York.

Mr. Chairman, I appreciate your generosity and time, and I yield back the balance of my time.

Mr. Bosco. Thank you, Mr. Ackerman.

In the interest of getting on with the full committee, I think we will move forward.

Let me say insofar as this dispute is concerned that I believe strongly that our committee has to rely on the expertise of its own members as well as that of GSA. We have heard from two of our members, Ms. Molinari and Mr. Ackerman. I know that Mr. Ackerman has been very actively involved in this and has discussed it with me for the past six months. I am going to ask the committee to remove this item from the agenda. Mr. Ackerman has invited us to see this site. I would be looking to leave the FAA in Queens and to find a place perhaps nearby or take a close look at the renovation of the building that they are in, although I wouldn't propose at this time to finalize that decision. But I think that we will just take a closer look at this and remove from the agenda today, if that is satisfactory.

Thank you very much.

Next, H.R. 5708, the Library of Congress issue. I have talked with Mr. Petri about it and unless there are other members of the subcommittee who want to hear the testimony, it doesn't appear to

be attended by any controversy and I think we will just receive the statement of Winston Tabb, Acting Deputy Librarian of Congress be submitted for the record.

[Mr. Tabb's prepared statement follows:]

Statement of
Winston Tabb
Acting Deputy Librarian of Congress
The Library of Congress
before the Subcommittee on Public Buildings and Grounds
Committee on Public Works and Transportation
September 26, 1990

I appreciate the opportunity to speak in favor of H.R. 5708, a bill to authorize the acquisition by the Architect of the Capitol of property at Sixth and East Capitol Streets for the Library of Congress.

Formerly a girls' high school, the building consists of a main school structure and assembly hall containing 40,378 square feet of space within short walking distance from the Library of Congress.

The property is prime real estate that meets long-time needs of the Library of Congress. First and foremost, the building would provide space for a childcare center for 65 - 75 children. Since 1970, the Library has been looking for space on Capitol Hill for such a center. We are, in fact, the only major arm of the legislative branch that does not have a childcare center. The space on East Capitol Street is ideal for this because of its location, its size, and suitable surrounding grounds for a play area. It also has space for off-street parking. The Library's Childcare Staff Association would help plan the center, which will be self-sustaining once it is outfitted. Spaces not filled by Library employees' children would be available to House and Senate staffs' children. Childcare is the major priority in this building and should the need arise space can be expanded without a major disruption of the other plans for the building.

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Second, classroom space -- 10 large classrooms -- would be available for off-site staff development and training -- a need made more critical in the last year because of our new affirmative action efforts. Human resources development at the Library of Congress is essential if we are going to continue to meet the demands of new technologies in the acquisition and distribution of information and knowledge. We want to develop more in-house training and independent learning programs for our staff, which is necessary because of scarce resources in training funds. This space would also be used for the variety of seminars and other training conducted by the Congressional Research Service for Hill staff.

It would also provide temporary housing for scholars who use the Library's collections for extended periods of time and who can advise the Library of Congress on collection development. Careful collection development can in the long run save considerable expenditures. We need the expertise of the people who use the collections extensively to help us make the right choices about what to acquire, what to keep, and what to catalog. This facility has 18 small private rooms in what was formerly a convent, with adjoining showers and bathroom facilities, a kitchen, and a commons area. Operation and maintainance of the scholars' rooms would be paid for by fees charged to the scholars.

An all-purpose assembly hall with a stage would accommodate 225 - 500 persons for meetings, receptions, lectures,

and seminars, and could be available for House and Senate activities also.

The building, owned by the Catholic Archdiocese of Washington, has been appraised by an independent appraiser for $4.2 million.

This is a one-time opportunity to satisfy many of the longstanding human resources needs of the Library of Congress. If we do not proceed with the purchase of the building this year, this site will no doubt be sold to a private purchaser, and the Library will once again be forced to start over in its long-time search for a childcare facility and for other space for human resources training.

Mr. Bosco. That concludes the agenda and we will now move ahead with the markup.

[Whereupon, at 10:47 a.m., the subcommittee proceeded to other business.]

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